

# SENATE BILL REPORT

## SHB 1769

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As Reported by Senate Committee On:  
Human Services & Corrections, March 26, 2009

**Title:** An act relating to orders for housing assistance in dependency matters.

**Brief Description:** Concerning housing assistance in dependency matters.

**Sponsors:** House Committee on Early Learning & Children's Services (originally sponsored by Representatives Orwall, White, Dammeier, Clibborn, Nelson, Lias, Carlyle, Eddy, Upthegrove, Green, Chase, Seaquist, Miloscia, Kagi, Roberts, Kenney and Morrell).

**Brief History:** Passed House: 3/06/09, 96-0.

**Committee Activity:** Human Services & Corrections: 3/19/09, 3/26/09 [DPA].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass as amended.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Kauffman and McAuliffe.

**Staff:** Jennifer Strus (786-7316)

**Background:** The Department of Social and Health Services must include in its social study report what preventive services were offered or provided to the family and have failed to prevent the need for out-of-home placement. Housing services, which are considered preventive services, may include referrals to federal, state, local, or private agencies or organizations; assistance with forms and applications; or financial subsidies for housing.

The court's ability to order housing assistance under chapter 13.34 RCW is limited to cases in which homelessness or the lack of adequate and safe housing is the primary reason for an out-of-home placement and subject to the availability of funds appropriated specifically for this purpose.

**Summary of Bill (Recommended Amendments):** At the shelter care hearing, if the dependency petition or other information before the court indicates that homelessness or the lack of suitable housing was a significant factor contributing to the removal of the child, the court must inquire as to whether housing assistance was provided to the family to eliminate or prevent the need for removal.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

At a dependency review hearing, if the child is not returned home, the court must establish in writing whether the parent's homelessness or lack of suitable housing is a significant factor delaying permanency for the child by preventing the child's return home and whether housing assistance should be provided to the family.

Housing assistance is defined to mean at least appropriate referrals by the department or other supervising agencies to federal, state, local, or private agencies or organizations; assistance with forms; or financial subsidies or other monetary assistance for housing. Housing assistance is not a remedial service or a time-limited family reunification service.

The court's ability to order housing assistance is limited to cases in which a parent's homelessness or lack of suitable housing is a significant factor delaying permanency for the child and housing assistance would aid the parent in providing an appropriate home for the child.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Amendments):** Changes the phrase "housing services and assistance" to "housing assistance." Clarifies that "housing assistance" is neither a remedial service nor a time-limited family reunification service. At the shelter care hearing, if the dependency petition or other information before the court indicates that homelessness or the lack of suitable housing was a significant factor contributing to the removal of the child, the court must inquire as to whether housing assistance was provided to the family to eliminate or prevent the need for removal. At a dependency review hearing, if the child is not returned home, the court must establish in writing whether the parent's homelessness or lack of suitable housing is a significant factor delaying permanency for the child by preventing the child's return home and whether housing assistance should be provided to the family. The court's ability to order housing assistance is limited to cases in which a parent's homelessness or lack of suitable housing is a significant factor delaying permanency for the child and housing assistance would aid the parent in providing an appropriate home for the child.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Substitute House Bill:** PRO: It is important to provide struggling families with assistance, especially housing assistance which lowers the incidence of out-of-home care placements. There are many struggling people out there who don't have the ability to find housing and they lose their children as a result. Without the housing, they cannot get their children back. The court may order them to find housing but the department does very little to help them find it. Without assistance in obtaining housing, many dependency cases are prolonged unnecessarily. The cost to the AGO in the fiscal note would be outweighed by the savings if housing is located and children remain with their parents. The Coalition has been concerned about parents losing their children because of

lack of housing for many years. This bill is the best step we can take in these hard economic times to put the issue in focus. This bill does not ask for additional money for services; it merely continues to focus on lack of housing as being a problem for reunification in dependency cases.

**Persons Testifying:** PRO: Representative Orwall, prime sponsor; Tonia Morrison, Dependency 101 & Children's Alliance; Amy Murray, Parent to Parent and Dependency 101; Laurie Lippold, Children's Home Society; Seth Dawson, Washington State Coalition for the Homeless.